

REMARKS

An Excess Claim Fee Payment Letter is submitted herewith to cover the cost of one excess total claim.

A Request for Continued Examination (RCE) is submitted herewith.

Claims 11-18 and 26-31 and 33-39 are all the claims presently pending in the application. Claim 39 has been added to claim additional features of the claimed invention.

Specifically, Applicant notes that claim 39 recites "wherein said via is filled with said diffusion barrier material", which is clearly not taught or suggested by the cited references.

In view of the foregoing, Applicant submits that claims 11-18 and 26-31 and 33-39, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: 5/12/04



Phillip E. Miller
Registration No. 46,060

McGinn & Gibb, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254